II

(Acts whose publication is not obligatory)

COUNCIL

FOURTH COUNCIL DECISION

of 24 June 1975

on the equivalence of field inspections carried out in third countries on seed-producing crops

(75/407/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Directive No 66/402/EEC (1) of 14 June 1966 on the marketing of cereal seed, as last amended by Directive No 73/438/EEC (2), and in particular Article 16 (1) (a) thereof;

Having regard to Council Directive No 69/208/EEC (3) of 30 June 1969 on the marketing of seed of oil and fibre plants, as last amended by Directive No 73/438/EEC, and in particular Article 15 (1) (a) thereof;

Having regard to the proposal from the Commission;

Whereas there are rules on seed control in Australia and in Hungary; whereas these rules provide for official field inspection to be carried out during the period of seed production;

Whereas an examination of these rules and the manner in which they are applied has revealed that the prescribed field inspections satisfy the conditions laid down in Annex I to the abovementioned Directives;

Whereas this Decision does not preclude Community findings being revoked or extension of the period of their validity being refused, when the conditions on which they are based are not or cease to be satisfied; whereas, to this end, further practical information on seed produced in the abovementioned countries should be obtained by growing and checking samples of such seed in comparative Community tests;

Whereas it has become necessary to amend certain Council Decisions declaring equivalences owing to a transfer of powers within a national authority responsible for official seed control,

HAS ADOPTED THIS DECISION:

Article 1

It is hereby determined that, where the special conditions laid down in the Annex to this Decision are satisfied, field inspections of crops producing seed of the 'certified seed' category carried out in the countries and by the authorities listed in the said Annex and in respect of the species specified

(1) OJ No 125, 11. 7. 1966, p. 2309/66.
(2) OJ No L 356, 27. 12. 1973, p. 79.
(3) OJ No L 169, 10. 7. 1969, p. 3.

therein satisfy the conditions laid down in Annex I to Directive No 66/402/EEC or No 69/208/EEC.

Article 2

In the Annex to First Council Decision No 72/292/EEC (1) of 20 July 1972 on the equivalence of field inspections carried out in third countries on seed-producing crops, under reference No 21 the words 'Department of Primary Industries' in column 3 shall be replaced by the words 'Department of Agriculture'.

Article 3

In the Annex to Third Council Decision No 74/348/EEC (2) of 27 June 1974 on the equivalence of field inspections carried out in third countries on seed-producing crops, under reference No 1 the words 'Department of Primary Industries', in column 3, shall be replaced by the words 'Department of Agriculture'.

Article 4

This Decision shall apply until 30 June 1976.

Article 5

This Decision is addressed to the Member States.

Done at Luxembourg, 24 June 1975.

For the Council

The President

M. A. CLINTON

(1) OJ No L 186, 16. 8. 1972, p. 22.
(2) OJ No L 191, 15. 7. 1974, p. 11.

ANNEX

Ref. No	Country	Authority	Species	Special conditions
1	2	3	4	5
1	Australia	Department of Agriculture, Canberra	Swede rape	1, 2, 3, 4
2	Hungary	Orszàgos Vetömagfelügyelöség (Hungarian Seed Control Office), Budapest	Black mustard Rye	1, 2, 3, 4 1, 2, 3, 4

Special conditions

1. Field inspection shall be carried out in accordance with national rules for the application of the scheme for the varietal certification of seed moving in international trade of the Organization for Economic Cooperation and Development (OECD).

2. Field inspection shall be carried out by State authorities or by any legal person, whether governed by public or by private law, acting under the responsibility of such authorities, provided that such person derives no private gain from the result of the inspection.

3. Harvested seed shall be packed in officially sealed packages which bear an official label giving the following information:

   (a) authority responsible and country;

   (b) species;

   (c) variety;

   (d) reference number of the basic seed and name of the Member State which certified the seed;

   (e) reference number of the lot;

   (f) declared net or gross weight;

   (g) the words 'non-certified seed'.

   All information shall be given in at least one of the official languages of the European Communities.

4. An official notice shall give the following information:

   — area cultivated,

   — quantity of harvested seed,

   — an attestation that the crops from which the seed comes have satisfied an official field inspection.